

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
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| Lifeline and Link Up Reform and Modernization |) | WC Docket No. 11-42 |
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| Wireline Competition Bureau Seeks Comment On United States Telecom Association's Petition for Waiver |) | |
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COMMENTS OF COX COMMUNICATIONS, INC.

Cox Communications, Inc., (“Cox”) hereby submits these comments in response to the Wireline Competition Bureau’s public notice regarding the petition for limited waiver of the amended Lifeline eligibility rules¹ filed by United States Telecom Association (“USTelecom”).² Cox agrees with USTelecom’s general observation that granting a limited waiver of the amended Lifeline eligibility rules to eligible telecommunications carriers (“ETCs”) in states with state-specific eligibility criteria and state discounts would serve the public interest.

Cox provides Lifeline voice service in five states - California, Kansas, Nebraska, Nevada, and Oklahoma - which maintain state Lifeline programs with state discounts and state-specific eligibility criteria.³ All of these states have either initiated proceedings or begun an internal examination of the changes they must and/or may make to their respective Lifeline programs in response to the Lifeline Modernization Order.⁴ However, it is unclear whether all of these states

¹ Specifically, these rules include Sections 54.400(j) and 54.409(a) of the Commission’s rules, 47 C.F.R. §§ 54.400(j), 54.409(a). These rules were adopted in the Third Report and Order, Further Report and Order, and Order on Reconsideration, *Lifeline and Link Up Reform and Modernization*, 31 FCC Rcd 3962 (2016) (“Lifeline Modernization Order”).

² *Wireline Competition Bureau Seeks Comment on United States Telecom Association’s Petition for Waiver*, Public Notice, DA 16-1144 (Enf. Bur. rel. Oct. 6, 2016). See also Petition of USTelecom for Waiver of Lifeline Eligibility Rules, WC Docket No. 11-42 et al (filed Oct. 3, 2016) (“Petition”).

³ The Petition also included Connecticut and Florida among the states requiring a waiver. However, Connecticut and Florida do not have state Lifeline discounts. Thus, Cox does not believe waivers are required for Connecticut and Florida. See Petition at note 3 (“states for which no waiver is requested include those that have ... no state-mandated Lifeline discount ...”). Although Florida confirms Lifeline eligibility for some consumers, a waiver is not needed, because Florida provides ETCs with the qualifying program along with consumer information. ETCs will receive sufficient information from Florida to ensure that they do not request discounts for ineligible customers.

⁴ See *Nebraska Public Service Commission, on its Own Motion, Seeking to Establish Guidelines for the Administration of the Nebraska Telephone Assistance Program*, Application No. NUSF-2, Order (Oct. 12, 2016); *California Administrative Law Judge’s Ruling Requesting Comments on Workshops and Federal Communication Commission’s Third Report and Order, Issuing Data Requests*, (Sept. 22, 2016); *Notice of Intent to Act Upon A*

will complete their respective reviews and/or proceedings prior to the effective date of the amended Lifeline eligibility rules on December 2, 2016. Assuming state review is not completed prior to December 2, 2016 and eligibility criteria are therefore not aligned, in each of these states, Cox will potentially have to offer 3 different Lifeline rates for new customers – one for customers who qualify only for federal Lifeline discounts;⁵ one for customers who qualify only for state Lifeline discounts;⁶ and one for customers who qualify for both state and federal Lifeline discounts.⁷ Such a Lifeline system would necessarily create consumer confusion and significant operational costs to comply with differing, and potentially temporary, eligibility criteria. Grant of a limited waiver permitting carriers in states with state-specific criteria and state discounts⁸ to enroll new federal Lifeline customers based on existing eligibility criteria while the states complete their review of their programs would serve the public interest by eliminating the need to develop back-office systems to accommodate potentially interim eligibility rules. Cox suggests that any such waiver be limited in duration to the shorter of 60 days after the state notifies the Commission⁹ that it has completed its review of the impact of the Lifeline Modernization Order or some maximum amount of time which state commissions and the Commission deem sufficient.

Regulation, Notice of Workshop, and Notice of Hearing for the Adoption, Amendment, and Repeal of Regulations of the Public Utilities Commission of Nevada, Docket No. 16-07010 (Sept. 16, 2016); *Kansas Order Opening Docket; Soliciting Comments; Procedural Matters and Schedule*, Docket No. 16-GIMT-575-GIT (July 12, 2016).

⁵ Customers qualifying solely under the Veterans Survivors and Pension Benefit would only be eligible for federal Lifeline.

⁶ For example, customers qualifying solely under state-specific eligibility criteria, National School Lunch, LIHEAP, TANF, and others would only be eligible for state Lifeline.

⁷ For example, customers qualifying under SNAP, Medicaid, Supplemental Security Income, or Federal Public Housing Assistance would qualify for both state and federal Lifeline.

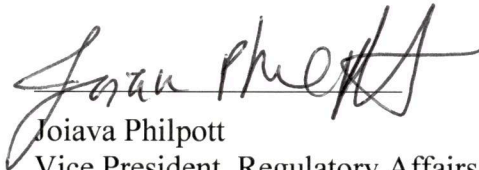
⁸ Cox has not performed a comprehensive study of state Lifeline programs and is unable to identify all states which maintain state-specific eligibility criteria and state discounts.

⁹ The Petition suggested the waiver expire 60 days after the state notifies the Commission and all ETCs in the state that it has aligned its eligibility criteria with the federal criteria. Cox believes it unnecessary to require state commissions to notify all ETCs of their actions regarding Lifeline.

As described herein, Cox supports grant of time-limited waivers of the amended Lifeline eligibility rules to ETCs in states with state-specific eligibility criteria and state discounts.

Respectfully submitted. \

By:

A handwritten signature in black ink, appearing to read "Joiava Philpott", written over a horizontal line.

Joiava Philpott
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October 21, 2016

